IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

WP(C).No. 32295 of 2007(S)

MC.376/2006 of FAMILY COURT, MALAPPURAM
.....

PETITIONER:

C.T.UMMER, AGED 28 YEARS,
S/O.C.T.ABDURAHIMAN (LATE), CHARUTHODIKA HOUSE,
MANNATHIPARAMBU, P.O.VALIYORA, VENGARA,
TIRURANGADI TALUK.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS:
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1. AREEFA, AGED 22 YEARS,
D/O.LATE ABOOBACKER, NARANGATHODI HOUSE,
KOZHIKOTTUKUNNU, MELAKKAM, P.O.KARUVAMBRAM AMSOM,
MANGALASSERI DESOM, MANJERI VIA.

2. MASTER AREEFA, AGED ONE YEAR (MINOR)
REPRESENTED BY MOTHER 1ST RESPONDENT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P(C)No. 32295 of 2007

Dated this the 31st day of October, 2007

JUDGMENT

Kurian Joseph,J.

This writ petition is filed with the following prayers:-

> a) direct the Family Court, Malappuram to pass appropriate orders on CMP 2470/07 and CMP 2471/07 in MC 376/06 expeditiously within a time limit to be prescribed by this court.
>
> b) direct the Family Court, Malappuram not to execute the warrant in execution of the ex parte order in MC 376/2006 while Ext.P3 petition to set aside the same is pending before the court.

C.M.P.No.2470/2007 is a petition to condone the delay in filing C.M.P.No.2471/2007 seeking to set aside the ex parte order in M.C.No.376/2006. During the pendency of the petitions, it is submitted that, coercive steps have already been initiated and a warrant is pending against the petitioner. There will be a direction to the Family Court, Malappuram to dispose of the application for condonation of delay tomorrow itself. Till such time, the warrant shall not be executed.

The writ petition is disposed of as above.

Petitioner will produce a copy of this judgment along with a copy of the writ petition before the Family Court, and furnish a copy each to the first respondent, today itself.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

W.P(C)No.32295 of 2007

JUDGMENT

31st October, 2007